



**COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING AND BUILDING
STAFF REPORT**

PLANNING DEPARTMENT HEARING

*Promoting the wise use of land
Helping build great communities*

MEETING DATE May 6, 2005	CONTACT/PHONE Josh LeBombard 805-781-1431	APPLICANT Paxton and Patricia Pembroke	FILE NO. COAL 04-529; SUB2004-00165
SUBJECT Request by Paxton and Patricia Pembroke for a Lot Line Adjustment to adjust the lot lines between 4 parcels of 165.35, 161.06, 83.08, and 81.94 acres each. The adjustment will result in 4 parcels of 159.35, 118.14, 111.85, and 103.06 acres each. The project will not result in the creation of any additional parcels. The proposed project is within the Agricultural land use category and is located at 3990 W. Pozo Road, approximately 10 miles west of the city of San Luis Obispo. The site is in the Las Pilitas and Los Padres planning areas.			
RECOMMENDED ACTION Approve Lot Line Adjustment COAL 04-529 based on the findings listed in Exhibit A and the conditions listed in Exhibit B			
ENVIRONMENTAL DETERMINATION A Class 5 Categorical Exemption was issued on April 10, 2005.			
LAND USE CATEGORY Agricultural	COMBINING DESIGNATION SRA	ASSESSOR PARCEL NUMBER 070-044-008, 009	SUPERVISOR DISTRICT(S) 5
PLANNING AREA STANDARDS: None			
LAND USE ORDINANCE STANDARDS: None			
EXISTING USES: Single family residence			
SURROUNDING LAND USE CATEGORIES AND USES: <i>North:</i> Agriculture/Vacant <i>East:</i> Agriculture/Single family residence <i>South:</i> Open Space/Vacant <i>West:</i> Rural Lands/Vacant			
ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE DEPARTMENT OF PLANNING & BUILDING AT: COUNTY GOVERNMENT CENTER ♦ SAN LUIS OBISPO ♦ CALIFORNIA 93408 ♦ (805) 781-5600 ♦ FAX: (805) 781-1242			

OTHER AGENCY / ADVISORY GROUP INVOLVEMENT: The project was referred to: Santa Margarita Advisory Group, Public Works, Environmental Health, Ag Commissioner, County Parks, CDF, Santa Margarita Fire	
TOPOGRAPHY: Nearly level to steeply sloping	VEGETATION: Oak woodland
PROPOSED SERVICES: Water supply: On-site well Sewage Disposal: Individual septic system Fire Protection: CDF	ACCEPTANCE DATE: January 26, 2005

ORDINANCE COMPLIANCE:

The applicant is proposing to adjust the lot lines between 4 legal parcels as follows:

EXISTING LOT SIZES (ACRES)	ADJUSTED PARCEL SIZES (ACRES)
81.94	103.06
83.08	111.85
161.06	118.14
165.35	159.35

Section 21.02.030 of the Real Property Division Ordinance states that a lot line adjustment shall not be approved or conditionally approved unless the new parcels resulting from the adjustment will maintain a position which is better than, or equal to, the existing situation relative to the county's zoning and building ordinances.

The adjustment will result in the reconfiguration of the four parcels to better configure the parcels to reflect topography, access and use. The applicant is requesting that the parcel configuration, currently delineated by section lines, be reconfigured such that the delineation uses Pozo Road.

SB 497

As of January 1, 2002, lot line adjustments are limited to four or fewer existing adjoining parcels. In addition, the new parcels must comply not only with zoning and building regulations, but also with the general plan and any applicable coastal plan. The County's local ordinance allows a determination to be made that the proposed situation is equal to or better than the existing situation. Because the parcel sizes are below minimum parcel size as set through the General Plan and will remain so after the adjustment, staff has concluded that the adjustment is consistent with both state and local law.

LEGAL LOT STATUS:

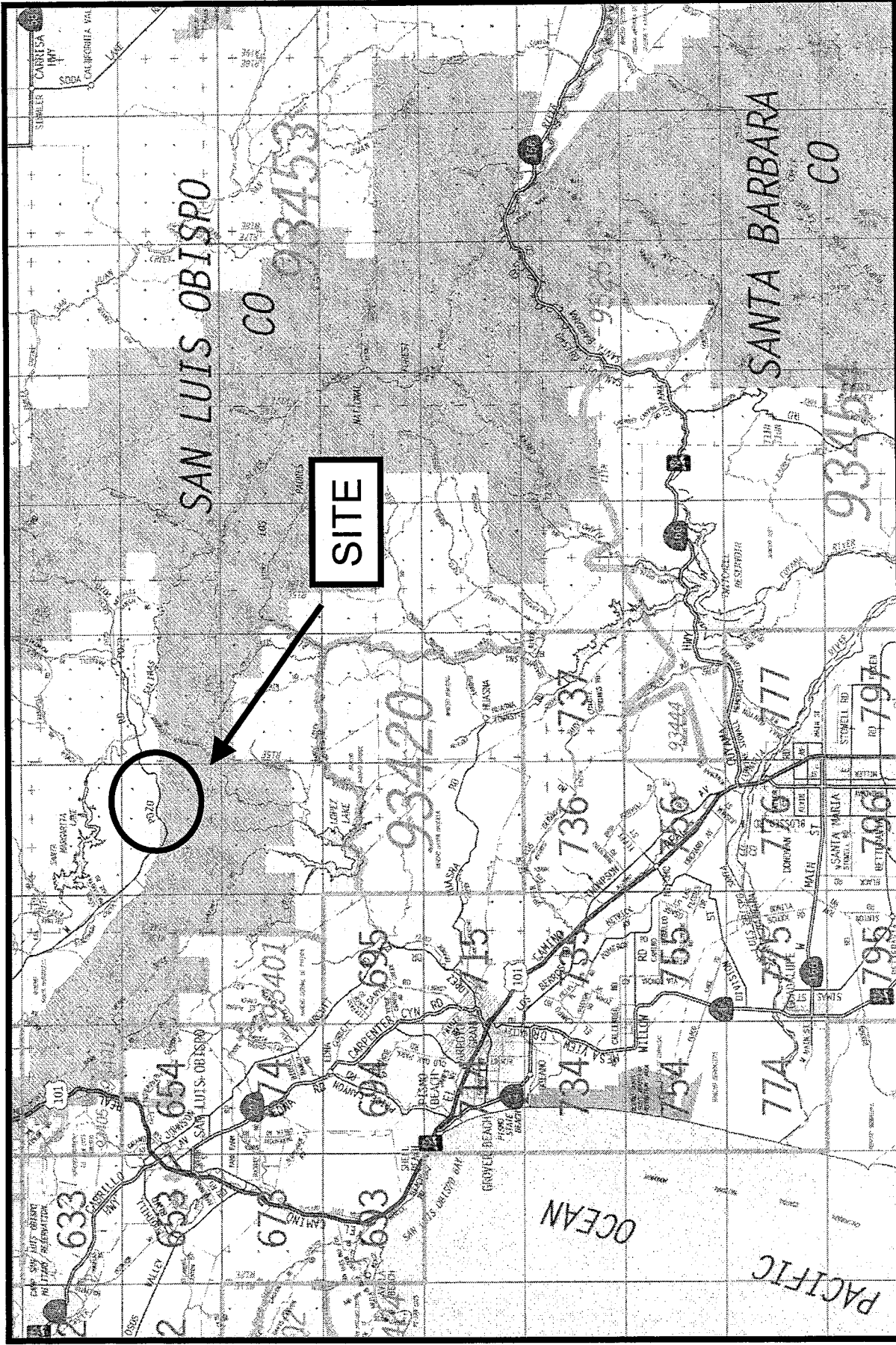
The four lots were legally created by certificate of compliance C04-152.

FINDINGS - EXHIBIT A

- A. The proposed Lot Line Adjustment is consistent with the provisions of Section 21.02.030 of the Real Property Division Ordinance because the proposed lot configuration will better represent the built environment by being delineated by Pozo Road.
- B. The proposal will have no adverse effect on adjoining properties, roadways, public improvements, or utilities.
- C. Compliance with the attached conditions will bring the proposed adjustment into conformance with the Subdivision Map Act and Section 21.02.030 of the Real Property Division Ordinance.
- D. The project qualifies for a Categorical Exemption (Class 5) pursuant to CEQA Guidelines Section 15303 because the proposed configuration does not have the potential to result in significant impacts to the environment.

CONDITIONS - EXHIBIT B

1. This adjustment may be effectuated by recordation of a parcel map or recordation of certificates of compliance. If a map is filed, it shall show:
 - a. All public utility easements.
 - b. All approved street names.
2. Any private easements described in the title report must be shown on the map, with recording data.
3. When the map is submitted for checking, or when the certificate of compliance is filed for review, provide a preliminary title report to the County Engineer or the Planning Director for review.
4. All conditions of approval herein specified are to be complied with prior to the recordation of the map or certificates of compliance which effectuate the adjustment. Recordation of a map is at the option of the applicant. However, if a map is not filed, recordation of a certificate of compliance is mandatory.
5. The map or certificates of compliance shall be filed with the County Recorder prior to transfer of the adjusted portions of the property or the conveyance of the new parcels.
6. In order to consummate the adjustment of the lot lines to the new configuration when there is multiple ownerships involved, it is required that the parties involved quitclaim their interest in one another new parcels. Any deeds of trust involving the parcels must also be adjusted by recording new trust deeds concurrently with the map or certificates of compliance.
7. If the lot line adjustment is finalized using certificates of compliance, prior to final approval the applicant shall prepay all current and delinquent real property taxes and assessments collected as real property taxes when due prior to final approval.
8. The lot line adjustment will expire two years (24 months) from the date of the approval, unless the map or certificates of compliance effectuating the adjustment is recorded first. Adjustments may be granted a single one year extension of time. The applicant must submit a written request with appropriate fees to the Planning Department prior to the expiration date.
9. All timeframes on completion of lot line adjustments are measured from the date the Review Authority approves the lot line adjustment map, not from any date of possible reconsideration action



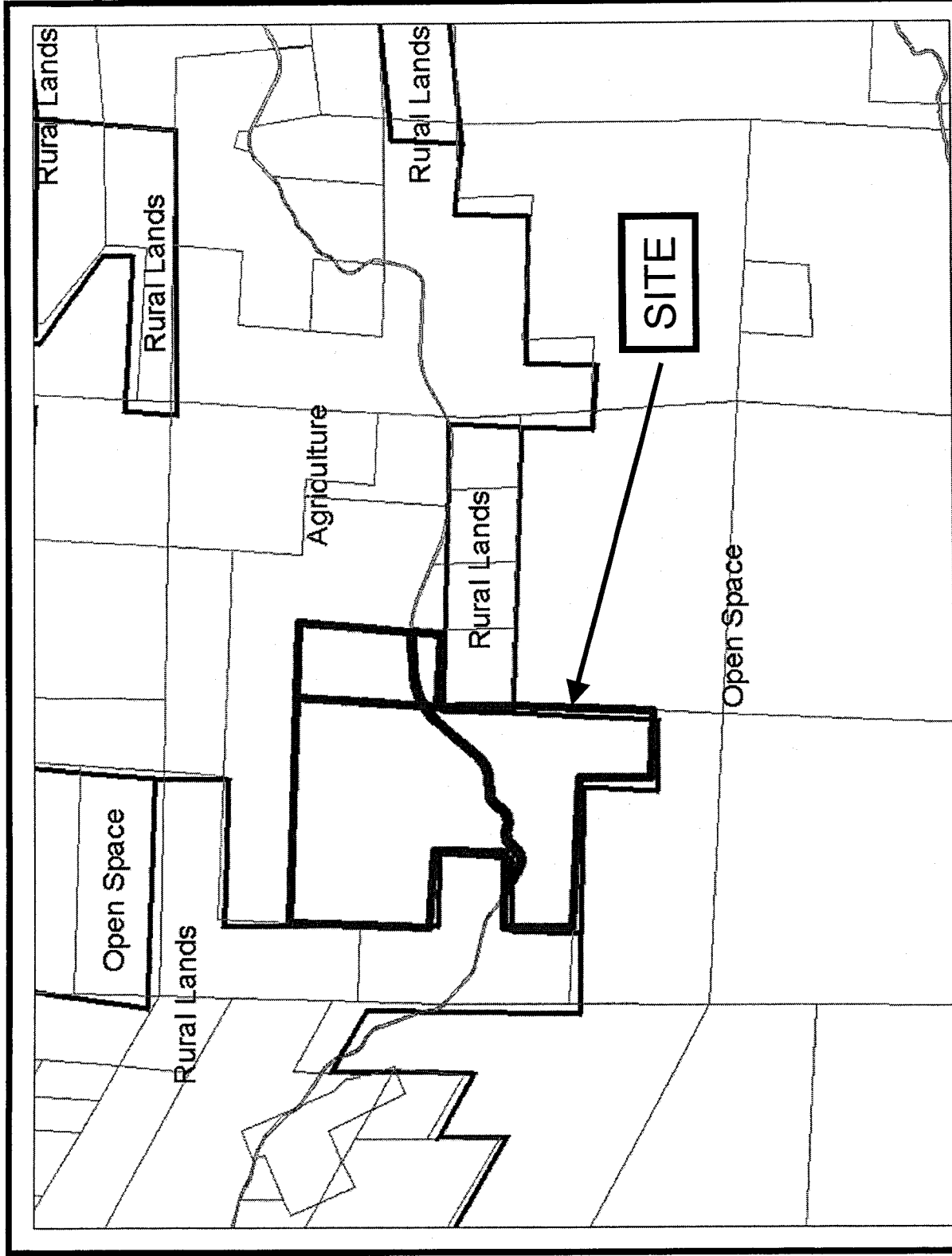
PROJECT

Pembroke Line Adjustment
SUB2004-00165

EXHIBIT B

Vicinity Map





PROJECT

Pembroke Line Adjustment

SUB2004-00165

EXHIBIT B

Land Use Category Map



